

Texas Workforce Commission

A Member of Texas Workforce Solutions

Ruth R. Hughs, Chair
Commissioner Representing
Employers

Julian Alvarez
Commissioner Representing
Labor

Robert D. Thomas
Commissioner Representing
the Public

Edward Serna
Interim Executive Director

January 29, 2019

NOTICE OF COMPLAINANT'S RIGHT TO FILE CIVIL ACTION

David K. Tompkins
c/o Michael Y. Kim
MKim Legal
4236 W Lovers Lane
Dallas, TX 75209

Re: *David K. Tompkins v. Amarillo College*
EEOC Complaint # 450-2018-00069

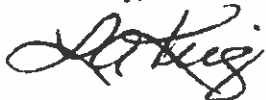
Dear David K. Tompkins:

The above-referenced case was processed by the United States Equal Employment Opportunity Commission or a local agency. Pursuant to Sections 21.252 and 21.254 of the Texas Labor Code, this notice is to advise you of your right to bring a private civil action in state court in the above-referenced case. **YOU HAVE SIXTY (60) DAYS FROM THE RECEIPT OF THIS NOTICE TO FILE THIS CIVIL ACTION.**

If your case has been successfully resolved by the U. S. Equal Employment Opportunity Commission or another agency through a voluntary settlement or conciliation agreement, you may be prohibited by the terms of such an agreement from filing a private civil action in state court pursuant to the Texas Commission on Human Rights Act, as amended.

The United States Supreme Court has held in *Kremer v. Chemical Construction Corporation*, 456 U.S. 461 (1982), that a federal district court must generally dismiss a Title VII action involving the same parties and raising the same issues as those raised in a prior state court action under Chapter 21 of the Texas Labor Code. Therefore, filing a lawsuit in state court based on the issuance of this notice of right to file a civil action may prevent you from filing a lawsuit in federal court based on Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e - et seq.

Sincerely,



Lowell A. Keig
Director, Civil Rights Division

RETAIN ENVELOPE TO VERIFY DATE RECEIVED

Copy to:
Amarillo College
2201 South Washington
Amarillo, TX 79109

U-11

TEXAS WORKFORCE COMMISSION
Civil Rights Division
101 East 15th Street, Guadalupe CRD
Austin, TX 78778-0001

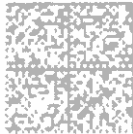
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